

## **REMARKS**

### **Summary of the Office Action**

The title of the invention is objected to as not being descriptive.

Claims 27, 29, 31, 33, 35, 37, 39 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Horibe et al.* ("Horibe") (GB 2302367) of record by Applicants, in view of *Osamura* (USPN 6,147,441).

### **Summary of the Response to the Office Action**

Applicants amend the title. Accordingly, claims 27, 29, 31, 33, 35, 37, 39 and 41 are presently pending.

### **The Objection to the Title**

The title of the invention is objected to as not being descriptive. Applicants have amended the title of the invention in accordance with comments of the Examiner. Accordingly, Applicants respectfully request that the objection to the title be withdrawn.

### **The Rejections under 35 U.S.C. § 103(a)**

Claims 27, 29, 31, 33, 35, 37, 39 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Horibe* of record by Applicants, in view of *Osamura*. Applicants respectfully traverse the rejections for at least the following reasons.

*Osamura* should not be considered as prior art under any subsection of 35 U.S.C. §§ 102 and 103. Pursuant to 37 C.F.R. § 1.55(a), Applicants submit concurrently herewith a verified translation of Japanese Patent Applications No. Hei. 8-188347, filed in Japan on June 28, 1996; and Japanese Patent Application No. Hei. 8-335119, filed in Japan on November 28, 1996.

Certified copies of the priority documents were previously filed in the parent U.S. Application No. 08/883,145. The filing date of *Osamura* is December 5, 1996 which is after the priority date to which this application is entitled. Accordingly, *Osamura* should not be considered as prior art under any subsection of 35 U.S.C. §§ 102 and 103.

Applicants respectfully submit that rejection of claims 27, 29, 31, 33, 35, 37, 39 and 41 under 35 U.S.C. § 103(a) as being unpatentable over *Horibe* in view of *Osamura* is moot in light of the removal of *Osamura* as prior art. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 103(a) be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Office Action feel that there are any issues outstanding after consideration of the Response, the Office Action is invited to contact the Applicants' undersigned representative to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: February 27, 2009

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